

Wallingford Development Review Board
Meeting Minutes
November 29, 2023

Members Present: L. Thayer, Chair, D. Ballou, and E. Blaisdell, and Alternate Joyce Barbieri

Members Absent: J. Burkett and J. Stone

Public in attendance: Ann Buffum and Julie Sharon acting as Interim Zoning Administrator

The Chair called the meeting to order at 7:01 p.m.

The agenda was accepted as written on a motion made by J. Barbieri and seconded by E. Blaisdell. Motion passed.

Continuance of the hearing on November 15, 2023 for Application #23-32 for Erika Berner.

L. Thayer noted that the applicant was absent due to health reasons. L. Thayer read the letter from Ms. Berner dated November 16, 2023 requesting a change to the applicant name to Erika J. Berner dba The Lodge-2015, LLC. The business is registered with the Secretary of State's office and she is the registered Manager/Owner. J. Barbieri asked if a new hearing was necessary due to the name change, and L. Thayer replied no. J. Barbieri also mentioned that Ann Buffum will need to be sworn in. A. Buffum was sworn in.

Following the last meeting, L. Thayer reached out to VLCT for their opinion on A. Buffum's request. The neighbor asked that the approval stipulate that the permit would become void if the owner sold the property. E. Berner was agreeable to this condition. However, the question was, whether the condition was even valid and/or enforceable. VLCT agreed that typically zoning permits run with the land. They also stated that it is possible to put conditions on the permit for a specific entity, but only if the condition was valid. They recommended the DRB contact the town attorney to draft the condition. Town Attorney G. Kupferer provided the language for the condition. There was also discussion on the timeline for when a permit expires based on inactivity/failure to start use of, and/or discontinuance of a permit. Ann Buffum was agreeable to any permit conditions that are allowed by law

E. Blaisdell made a motion to close the hearing. J. Barbieri seconded the motion. Motion passed.

J. Barbieri made a motion to go into deliberative session at 7:11 p.m., which was seconded by E. Blaisdell. Motion passed.

The Board came out of deliberative session at 7:23 p.m.

On a motion made by D. Ballou, and seconded by E. Blaisdell, permit #23-32 was approved with the following conditions:

- 1) This permit shall not run with the land, and this permit shall automatically terminate when Erika J. Berner sells or conveys the property.
- 2) Approved as a private B&B/Short Term Rental for invited guests only.
- 3) No advertising or signs are approved with this application.
- 4) Duration of guest stays shall not exceed two (2) weeks or 2-3 guests on premises at any time.
- 5) Applicant must comply with state regulations and acquire all necessary state permits.

Motion passed.

The November 15th minutes were approved with amendments on a motion made by D. Ballou and seconded by E. Blaisdel. Motion passed.

There was no public input, miscellaneous business or discussion.

J. Barbieri made a motion to adjourn the meeting at 7:27 p.m.; motion seconded by E. Blaisdel. Motion passed.

Respectfully submitted, Julie Sharon, Interim Zoning Administrator

Lucy Thayer, DRB Chair

Date: _____